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Paper No. 20

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JUN 19 2003

In re Application of
Jacobs et al.
Application No. 09/745,763
Filed: December 21, 2000
Attorney Docket No. 00766.000084.2

OFFICE OF PETITIONS

ON PETITION

This decision concerns the June 3, 2003 petition under 37 CFR 1.10(c).¹

The petition is **GRANTED**.

The petition requests a filing date of December 21, 2000 rather than the presently accorded filing date of December 22, 2000, on the basis that the application was deposited on December 21, 2000 in the U.S. Postal Service (USPS) "Express Mail Post Office to Addressee" service pursuant to the requirements of 37 CFR 1.10. The petition is accompanied by a copy of the "Express Mail" mailing label bearing the number "EL683634742US" and containing a USPS date-stamp of December 21, 2000. The same mailing label number also appears on the application transmittal which itemizes the application papers being mailed on that date. In addition, the Office has verified through the USPS database available to the PTO that the package mailed under this label had been accepted by the USPS on December 21, 2000 at 11:13 pm. The petition is thus granted.

No petition fee is owed.

The application file is being forwarded to the Office of Initial Patent Examination for correcting the filing date to December 21, 2000, and for mailing a corrected filing receipt reflecting that filing date. Thereafter, the application file will be returned to Technology Center 1600 to await a reply to the May 13, 2003 Office Action.²

Telephone inquiries should be directed to the undersigned at (703) 308-0763.

RC Tang
Petitions Attorney
Office of Petitions

Attachment: 5/13/03 Office Action (courtesy copy)

¹ A petition under 37 CFR 1.10(c), filed on December 31, 2001, apparently was never forwarded to this Office from the Technology Center. The Office sincerely apologizes for any inconvenience caused by the delay.

² The Office notes that the current attorney-of-record was appointed subsequent to the mailing of this Office action. Therefore, a courtesy copy of the May 13, 2003 Office Action is hereby attached.